

PROPOSAL 95

5 AAC 06.370. Registration and reregistration.

Modify early season registration requirements, as follows:

Change 5 AAC 06.370 to read as follows:

(a) Before taking salmon in the Bristol Bay Area, a CFEC salmon drift gillnet permit holder shall register for a district described in 5 AAC 06.200. Before taking salmon in the Nushagak District, a CFEC salmon set gillnet permit holder shall register for a statistical area described in (l) of this section. A CFEC salmon drift gillnet permit holder also shall register for the same district the drift gillnet vessel that the permit holder will be operating. For the purposes of this section, a CFEC salmon drift gillnet permit holder and a drift gillnet vessel may be registered in only one district at a time and a CFEC salmon set gillnet permit holder in the Nushagak District may be registered in only one statistical area at a time. Initial district registration and statistical area registration is accomplished by completing a registration form provided by the department and returning the completed form to the department office in Dillingham or King Salmon or electronically on the department's website.

(b) Except when fishing as a crewmember, a CFEC salmon drift gillnet permit holder intending to transfer to and fish in a new district for which the permit holder is not registered shall register the permit holder and the vessel that the permit holder will use to take salmon for the new district at least 48 hours before fishing in the new district. Reregistration **or unregistration** is accomplished by the permit holder or the permit holder's authorized agent completing a form provided by the department and submitting the completed form, in person, to a local representative of the department or electronically on the department's website. The 48-hour district transfer notification period starts when the reregistration **or unregistration** form is signed by the local representative of the department or when the permit holder receives the computerized acceptance notification. The drift gillnet permit holder and the drift gillnet vessel may not fish in the original district during the 48-hour notification period. The notification period may be reduced by commissioner's announcement. District reregistration is not required after 9:00 a.m. July 17, except in the Ugashik District, as specified in 5 AAC 06.366(d)(4), the Naknek-Kvichak District, as specified in 5 AAC 06.360(g), and the Egegik District, as specified in 5 AAC 06.359(f).

06.37(b)(1): Except when fishing as a crewmember, a CFEC salmon drift gillnet permit holder intending to transfer to and fish in a new district for which the permit holder is not registered, **or intending to unregister the permit**, shall register the permit holder and the vessel that the permit holder will use to take salmon for the new district at least 48 hours before fishing in the new district, **or before unregistration takes effect**.

06.37(b)(2): Prior to 9:00 a.m. June 25, the permit holder may elect to unregister their permit, by which they are not transferring to a new district, nor shall they remain eligible to fish in their existing district; rather the transfer shall unregister their permit from fishing in any district. Effective after the 48-hour district transfer notification period, the permitholder may again register their drift permit as described in 06.37(b).

06.37(b)(3): Reregistration **or unregistration** is accomplished by the permit holder or the permit holder's authorized agent completing a form provided by the department and submitting the completed form, in person, to a local representative of the department or electronically on the department's website. The 48-hour district transfer notification period starts when the reregistration/**unregistration** form is signed by the local representative of the department or when the permit holder receives the computerized acceptance notification. The drift gillnet permit holder and the drift gillnet vessel may not fish in the original district during the 48-hour notification period. The notification period may be reduced by commissioner's announcement. District reregistration is not required after 9:00 a.m. July 17, except in the Ugashik District, as specified in 5 AAC 06.366(d)(4), the Naknek-Kvichak District, as specified in 5 AAC 06.360(g), and the Egegik District, as specified in 5 AAC 06.359(f).

What is the issue you would like the board to address and why? There are a significant number of fishermen who begin their fishing season with their vessels not properly prepared. While the captain prepares the boat to the best of their ability, they currently do not have a “free and open” opportunity to “field test” their operations before the season.

The highly effective, real-time run forecasting provided by the Port Moller Test Fishery (PMTF) creates the common tendency for many fishermen to “hold their card,” and not begin fishing until it is clear to them where the “best spot” to fish will be. By that time, the district fishery managers have the fleet on short-notice, or fishing daily or twice-daily openings. For the fishermen who “hold their card” and then “drop their card” any time after June 25, there is little time to address issues that inevitably show themselves after their boat has been actually put into service for the season.

This proposal addresses a safety concern for all fishermen and their vessels, but especially vessel operators who are new to the fishery, are operating a vessel that is new to them, or any operator who has “green” crew; either new to the SO3T fishery, and especially those crew who have never fished a day in their life. All of these people need “kid-glove” handling at the start of the season, and would benefit from an opportunity to “test fish” their boat, equipment, and crew.

The situation as it currently exists:

A fisherman’s first opening of the season produces a list of repairs that weren’t seen, noticed, or existed before the equipment and gear had been operated for the first time. Under the existing regulation, any fishermen’s “first opening” must come after the permit holder’s fishing registration card has been “dropped” (registered to fish in a district). This is often after the fishermen have left their home port, or at the start of heavy fishing. Due to this timing, both minor and major safety concerns often never get completed.

During a **non-fishing** “test run,” (which is currently a fisherman’s only option without “dropping” their registration card) very few of the vessel systems are tested. If a vessel goes out for a “test run” without deploying their fishing gear, the boat may be run hard to test the engine, the refrigeration system will be operated, and the anchor will be set. The nets will not be set, the deck hydraulics will not be stress-tested, nor will the boat tow the net or interact with the fishing gear in any way. Most concerning is the crew will have no direct understanding or practice of deploying or hauling the net. As it currently exists, the first time many “green” crew will see the

net go out will be during a period of high-stress and heavy fishing. This is NOT a good time to learn basic safety protocol.

In order to find faults that lurk within any vessel after the winter lay-over, **the systems need to be tested under full-stress of working the fishing gear in actual fishing conditions.** The net reel, stern roller, or tow bit are some of the components that need an actual full-stress test (with gear in the water) to fully realize if the equipment and vessel are fully functional.

A full-stress test is even more crucial with deck and/or equipment modifications. The motions used on the deck by the crew while actually fishing are much different than the imagined use of the equipment by the fabricators installing the equipment on land in the pre-season. There is no substitute for a full-stress situation to chase out the unforeseen shortcomings of a newly installed system or deck configuration.

Any vessel, no matter how “rag-tag” or “top-notch” in its appearance, can be a death-trap if the basic foundations of safety are not addressed before the “crunch time” of the season. The time for vessel/equipment testing, and Introduction to Fishing 101 for “green” crew is when there is no pressure from boundary lines, heavy volumes of fish, or nasty weather. **Most importantly**, after the vessel is “test-fished,” **there needs to be time to implement the changes and repairs** to bring the vessel up to the standards of a safe working platform.

Currently, the very common (yet not prudent) practice of “drop your card and go fishing” deters an early-season “test-fishing” opportunity. As a result, many vessels and crew begin their season with a laundry list of safety-related projects, which show themselves only after the vessel has been field-tested in the first fishing opening:

- Inoperable bilge pump/float switch (can lead to total vessel loss/loss of life).
- Inoperable high-water bilge alarm (can lead to total vessel loss/loss of life).
- Any inoperable alarm, including: CO2 sensor; high-temp above the stove; high-temp in engine room; engine operation alarms; watch alarm, etc. (can lead to loss of life through asphyxiation, fire, drowning; and vessel mechanical damage and/or total vessel loss).
- Improperly operating diesel stove or heater (can lead to fire and/or loss of life).
- Leaky hydraulic valve or stove oil line, causing slippery surfaces from spilled petroleum products (can lead to injury/overboard/loss of life).
- Inoperable navigation lights (can lead to collision/loss of life).
- Deficiencies in the anchor/equipment (can lead to total vessel loss/loss of life).
- Poor deck lighting, due to inoperable deck lights (can lead to injury/overboard/loss of life).
- The list goes on...

For a boat to truly be considered “sea worthy,” it should go to sea with NONE of the above deficiencies. But as our fishery exists, it is very common for many of these shortcomings to exist simultaneously throughout the season, because “there isn’t time to fix them” **due to the fisherman’s choice** to hold their permit registration until the last minute before they choose where they will start fishing for the season. This choice is not prudent (because “safety first” goes out the window); nonetheless there is a significant portion of the fleet who waits to drop their card,

sometimes into July (nearly the peak of the run). **At this late stage of the salmon run, preventative maintenance/repairs, or safety concerns will not be addressed.**

Situation if this proposal were enacted:

This proposal allows fisherman time to field test their boat and “break in” their crew before the fishing season. It will reduce the risk of injury or catastrophic incident by allowing “first opening” problems to be encountered and addressed in a stress-free state of mind, in good weather, and with no dramatic profit-driven variables in play.

Nothing changes in the regulation or implementation of the existing rules, other than adding the option, prior to 9:00 a.m. June 25, to “unregister” a SO3T drift permit that has previously been registered to allow a drift vessel to fish. When a permit-holder unregisters, they wait 48-hours of no fishing in any area (same as the existing regulation), and when the 48-hour (no-fishing) “transfer time” expires, they are once again no longer registered to fish in any area. A fisherman would say they “get their registration card back,” meaning they can once again “drop their card” and register to fish immediately in any area they choose (besides Togiak, because of the super-exclusive rule).

The cost of this proposal should be minimal. There is already a permit-transfer tracking system in place, and it shouldn’t take much programming to create the option to “unregister” a permit. If it is too complicated for the existing system, that may be a sign it is time to solicit some Federal funding to re-vamp the entire system and get something that works efficiently, or solicit the BBRSDA to fund the project, and our put our 1% landing tax to good use, as this would “provide a benefit to all SO3T fishermen,” which is the goal described in the BBRSDA mission statement.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. This proposal was developed in cooperation with ADFG biologists.

PROPOSED BY: Matt Marinkovich

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